



Senate

General Assembly

January Session, 2001

File No. 168

Senate Bill No. 962

Senate, April 9, 2001

The Committee on Human Services reported through SEN. HANDLEY of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING CHILDREN IN OUT-OF-STATE PLACEMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 (NEW) (a) Any public agency that places a child, as defined in
2 section 17a-93 of the general statutes, in a residential facility outside of
3 Connecticut shall enter into a written contract with the facility at the
4 time of the placement. Such written contract shall establish clear
5 standards for the child's care and treatment, including, but not limited
6 to, requirements for monthly written reports and weekly oral
7 communication concerning the child's care and treatment. The written
8 contract shall require the facility to report promptly to the placing
9 agency any allegation that the child is abused or neglected, as defined
10 in section 46b-120 of the general statutes, or any incident of abuse or
11 neglect of an individual placed in the facility. The written contract also
12 shall set forth child-specific goals and expectations for treatment and
13 progress.

14 (b) The placing agency shall ensure that an individual who is

15 qualified to evaluate the child's treatment and progress monitors the
16 child's care and treatment by monthly visits to the child and facility, by
17 review of monthly written reports and by weekly telephone calls to
18 facility staff responsible for the child's treatment and, if appropriate,
19 the child. The placing agency shall ensure that a discharge plan is
20 developed within two weeks of the child's placement in the facility.
21 The same qualified individual responsible for monitoring the child's
22 treatment shall review on a quarterly basis the contract and the
23 discharge plan for progress toward treatment goals and conditions
24 necessary for discharge.

KID *Joint Favorable C/R*

HS

HS *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Significant Cost, Indeterminate Significant Cost

Affected Agencies: Departments of Children and Families, Education

Municipal Impact: Indeterminate Significant Cost

Explanation

State and Municipal Impact:

Passage of this bill will result in a significant cost to the Department of Children and Families (DCF), the Department of Education (SDE) and Local Education Authorities (LEAs) placing children in out-of-state facilities. These costs would be associated with developing written contracts with, receiving and monitoring weekly telephone contact and monthly written reports from, and ensuring development of discharge plans by the facilities; as well as ensuring weekly telephone contact with and monthly visits to the facilities by qualified individuals.

Department of Children and Families

The department will incur projected FY 02 costs of \$1.26 million to implement the bill's provisions. Included in this sum are: \$810,000 to support the three-quarter year salaries of seventeen Social Workers

needed to conduct the monthly visits, oversee child-specific treatment plans and monitor development of appropriate discharge plans, as well as three Children Services Consultants needed to centrally administer the contracting and visitation system and perform associated quality assurance functions; \$238,000 in travel expenses; \$158,000 to support one-time equipment costs; and \$57,000 in associated other expenses. In FY 03 and subsequent fiscal years the cost associated with this initiative would be approximately \$1.46 million, as one time equipment costs would not recur.

As of March 26, 2001, a total of 435 children were placed by DCF in forty-four separate out-of-state residential facilities. Approximately 110 of these children were in facilities that border Connecticut. The remaining 325 were primarily distributed across the eastern region of the United States.

Department of Education and Local Education Authorities

A significant cost will result for the Department of Education via the state's Special Education - Excess Costs grant program.

There are currently over 480 children placed by local and regional school districts in out-of-state facilities. Approximately 400 of these children have associated costs that exceed the five-times threshold for state reimbursement. All additional costs associated with LEA staff time and other expenses required to meet the mandate of the bill would be borne by the state for these 400 children.

The remaining 80 children who have associated costs that have not previously reached the five-times threshold will potentially reach the threshold after passage of this bill, and thus result in even further state costs. All new costs associated with these children prior to reaching the five-times threshold will be incurred by the local and regional school districts.

OLR BILL ANALYSIS

SB 962

AN ACT CONCERNING CHILDREN IN OUT-OF-STATE PLACEMENT.**SUMMARY:**

This bill requires any state or local public agency that places a child in an out-of-state residential facility to sign a written contract with the facility at the time of placement. The contract must establish treatment goals and standards for the child's care and require periodic reports.

The agency placing the child must ensure a qualified person monitors the child's care and visits monthly. It must also ensure that a discharge plan is developed within two weeks of the placement and is reviewed at least quarterly.

EFFECTIVE DATE: October 1, 2001

CONTRACTS WITH OUT-OF-STATE FACILITIES***Children and Agencies Covered***

The bill applies to all children through age 17 and to 18- to 21-year olds who attend secondary or technical school or college full-time. It applies to all public agencies, which typically include all state and municipal agencies, local and regional boards of education, and other political subdivisions of the state.

Contract Requirements

The bill requires the contract to establish clear standards for the child's care and treatment. These standards must include requirements for written monthly and oral weekly reports. The contract must require the facility to report any (1) allegation that the child placed has been abused or neglected and (2) incident when another resident is abused

or neglected. It must also include goals and expectations for the child's treatment and progress.

Placing Agency Responsibilities

The placing agency must ensure that someone qualified to evaluate the child's progress monitors his care and treatment. He must visit the child monthly, review the written reports, and call the child's treatment staff, and the child, if appropriate, every week.

The agency must make sure a discharge plan is developed within two weeks of the child entering the facility. And every three months, the agency monitor must review the plan and the contract to determine the child's progress.

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Change of Reference

Yea 11 Nay 0

Human Services Committee

Joint Favorable Report

Yea 17 Nay 0